

(RZx), CLOSED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:03-cv-08023-AHM -RZ**

H Ray Lahr v. Natl Trans Safety Bd, et al
Assigned to: Judge A. Howard Matz
Referred to: Magistrate Judge Ralph Zarefsky
Demand: \$0
Case in other court: 9th CCA, 06-56717
9th CCA, 06-56732
9TH CCA, 07-55709

Cause: 05:552 Freedom of Information Act

Plaintiff

H Ray Lahr

Date Filed: 11/06/2003
Date Terminated: 10/04/2006
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

represented by **John H Clarke**
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V.

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Defendant**National Security Agency**

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Date Filed	#	Docket Text
11/06/2003	1	COMPLAINT filed Summons(es) issued referred to Discovery Carolyn Turchin (jag) (Entered: 11/12/2003)
11/06/2003	2	CERTIFICATION & NOTICE OF INTERESTED PARTIES filed by plaintiff H Ray Lahr (jag) (Entered: 11/12/2003)
11/17/2003		ALIAS SUMMONS issued (60 days) (lc) (Entered: 11/18/2003)
11/18/2003	3	NOTICE by plaintiff H Ray Lahr of related case(s) CV 02-8708 AHM (RZx) and Affidavit of Service. (rn) (Entered: 11/20/2003)
12/08/2003		PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to CV 02-2668 AHM (RZx) (rn) (Entered: 12/08/2003)
12/17/2003	<u>4</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [Related Case no.: CV 02-2668 AHM (RZx)] Case transferred from Judge Consuelo B. Marshall to Judge A. H. Matz for all further proceedings. , Case referred from Discovery Carolyn Turchin to Discovery Ralph Zarefsky The case number will now reflect the initials of the transferee Judge [CV 03-8023 AHM (RZx)] (cc: all counsel) (kc) (Entered: 12/17/2003)
12/17/2003	5	FIRST AMENDED COMPLAINT [1-1] by plaintiff H Ray Lahr. Summons not issued (mch) (Entered: 12/18/2003)
12/19/2003	<u>6</u>	INITIAL ORDER following filing of complaint (See document for further details) by Judge A. H. Matz (ir) (Entered: 12/19/2003)
01/07/2004	<u>7</u>	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case by John Harrison Clarke of Law Offices of John H Clarke for H Ray Lahr, designating John F Dunne, Jr of Law Offices of John F Dunne Jr as local counsel. Approved by Judge A. Howard Matz. Fee Paid. (ir,) (Entered: 01/08/2004)
01/23/2004	8	ANSWER TO FIRST AMENDED COMPLAINT filed by defendants Central Intelligence Agency, National Transportation Safety Board.(jp,) (Entered: 01/28/2004)

01/23/2004	<u>9</u>	NOTICE of Interested Parties filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (jp,) (Entered: 01/28/2004)
01/30/2004	<u>10</u>	ORDER by Judge A. Howard Matz Setting Rule 26(f) Scheduling Conference for 4/5/2004 01:30 PM ; Parties are reminded of their obligations to disclose information to confer on a discovery plan not later than 21 days prior to the scheduling conference and to file a report with the Court entitled "Joint Rule 26(f) Report" not later than 14 days after they confer; Failure to comply with the following requirements or to cooperate in the preparation of the Joint Rule 26(f) Report may lead to the imposition of sanctions (See document for further details)(ir,) (Entered: 02/02/2004)
03/30/2004	<u>11</u>	JOINT Rule 26(f) Report filed; estimated length of trial 3 Court days. (ir,) (Entered: 04/01/2004)
04/05/2004	<u>12</u>	MINUTES: Scheduling Conference held. Court suggest the following briefing schedule: Government shall file its "Open America" motion pertaining to the CIA not later than 4/19/04 together with a declaration containing the factual basis for the motion and a proposed schedule for the Vaughn Index/disclosures; Government shall file its NTSB Vaughn Index not later than 5/17/04; Government shall file its NTSB summary judgment motion not later than 6/7/04. Oppoitio thereto shall be filed not later than 7/6/04, reply shall be filed not later than 7/20/04 with the motion noticed for hearing on 8/2/04. Also Court shortens the meet and confer requirement under Local Rule 7-3 to 14 days. Parties shall submit by not later than 4/12/04 a stipulation and order regarding the above briefing schedule. Parties agree that the Government shall be the moving party on all forthcoming summary judgment motions. Court orders the parties to file a new updated comprehensive Vaughn Index. Court advises counsel that it is not inclined to grant motions to extend page limits and declines the parties request to appoint a special master. Counsel were personally served a copy of the Scheduling and Case Management Order filed this date. However no pretrial and trial dates were set at this time by Judge A. Howard Matz Court Reporter: Gail Peeples. (ir,) (Entered: 04/06/2004)
04/05/2004	<u>13</u>	SCHEDULING AND CASE MANAGEMENT ORDER (See document for further details) by Judge A. Howard Matz (ir,) (Entered: 04/06/2004)
04/12/2004	<u>14</u>	SCHEDULING ORDER by Judge A. Howard Matz,(1) With regard to the FOIA requests to the CIA, the CIA sill file its open America motion on 4/19/04 for hearing on 5/10/04.(2) With regard to the FOIA requests to the NTSB, the parties will follow this schedule: 5/17/04 NTSB files its Vaughn index; 5/24/04 Last day for parties to engage in local rule 7-3 meeting; 6/7/04 NTSB files its motion for summary judgment; 6/21/04 plaintiff chooses last day to file a motion; 7/6/04 If plaintiff files a motion to take deposition of Dennis Crider las day for defendant NTSB to file; 7/6/04 IF plaintiff does not file a motion to take deposition, last day for plaintiff to file opposition to defendant NTSB's motion for summary judgment; 7/19/04 Plainiff files an opposition.; 8/2/04 hearing on motion for summary judgment. (yc,) (Entered: 04/13/2004)
04/20/2004	<u>15</u>	NOTICE OF MOTION AND MOTION to Stay Case pending completion of processing plainitffs Freedom of Information Act requests to CIA; memorandum; declarations of Alan W Tate, Jan L Luymes filed by defendants Central Intelligence Agency, National Transportation Safety Board. Motion set for hearing on 5/10/2004 at 10:00 AM before Honorable A. Howard Matz. (lc,) (Entered: 04/26/2004)
04/29/2004	<u>16</u>	OPPOSITION to Defendant CIA motion to Stay proceedings 15 filed by Plaintiff H Ray Lahr. (ir,) (Entered: 05/06/2004)
05/04/2004	<u>17</u>	EX PARTE APPLICATION to extend time to file its reply in support of its motion to stay proceedings filed by Defendants Central Intelligence Agency, National Transportation Safety Board. Lodged Order. (ir,) (Entered: 05/06/2004)
05/05/2004	<u>18</u>	Order by Judge A. Howard Matz: Granting Defendant CIA Ex Parte application for Defendant Central Intelligence Agency to file its reply in support of its motion to stay proceedings 15 be extended to and including 5/6/04. The 5/10/04 hearing 17 is continued to Monday 5/17/04 at 10:00. (ir,) (Entered: 05/06/2004)
05/07/2004	<u>21</u>	REPLY in support of its motion for Stay of Proceedings 15 filed by Defendants Central Intelligence Agency, National Transportation Safety Board.; Supplemental Declaration of Alan W Tate and Exhibit 1 attached thereto. (ir,) (Entered: 05/17/2004)

05/11/2004	<u>19</u>	MINUTES: (IN CHAMBERS) Due to the Courts calendar, Court continues Defendant CIA motion for Stay of Proceedings 15 (Filed 4/20/04) from Monday 5/17/04 to Tuesday 5/18/2004 at 10:00 AM by Judge A. Howard Matz Court Reporter: Not Reported. (ir,) (Entered: 05/11/2004)
05/13/2004	<u>20</u>	ORDER by Judge A. Howard Matz: Defendant motion to stay proceedings 15 as to the CIA only is hereby granted. The action continues to proceed against the NTSB. This order pertains to the CIA only and all deadlines regarding the NTSB shall remain in tact. Court retains jurisdiction and hereby ORDERS that the CIA will have the additonal time it has requested. CIA will have to and including 2/28/05 to complete its processing of the CIA-originated records (not requiring third agency coordination) responsive to Plaintiffs requests and provide a written response to Plaintiff. CIA will file a status report with the Court on Monday 3/14/05 as to the status of response as to any records where coordination with other agencies was necessary if such coordination was not completed by 2/28/05. The Status report shall propose the date by which the Vaughn index will be filed. No hearing is necessary. FRCP 78; Local Rule 7-15. (ir,) (Entered: 05/13/2004)
05/14/2004	24	EX PARTE APPLICATION to Extend Time to File its Vaughn Index filed by defendants National Transportation Safety Board and Central Intelligence Agency. Lodged Proposed Order. (gk,) (Entered: 05/25/2004)
05/18/2004	<u>22</u>	ORDER by Judge A. Howard Matz Granting Defendant NTSB Ex Parte Application to extend time to file its Vaughn Index. Time for Defendant NTSB to file and serve its Vaughn index be extended to and including 5/19/04. All other dates previously scheduled regarding the NTBS remain in effect.(ir,) (Entered: 05/19/2004)
05/19/2004	23	NOTICE of Filing and Filing of NTSB Vaughn Index filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (ir,) (Entered: 05/24/2004)
05/21/2004	25	NOTICE OF FILING AND FILING OF ERRATA filed by Defendants Central Intelligence Agency, National Transportation Safety Board to NTSB Vaughn Index 23 (ir,) (Entered: 05/28/2004)
06/08/2004	27	NOTICE OF MOTION AND MOTION for Partial Summary Judgment filed by defendant National Transportation Safety Board. Motion set for hearing on 8/2/2004 at 10:00 AM before Honorable A. Howard Matz. Lodged Proposed Order and Statement of Uncontroverted Facts. (nhac,) (Entered: 06/15/2004)
06/10/2004	<u>26</u>	STIPULATION AND ORDER by Judge A. Howard Matz: Dismissed with prejudice: (1) All of Plaintiffs claims as to the names and identifying information of Boeing employees which is being withheld in NTSB Records numbered 1,2,3,4,5,6,7,8,9,10,12,13,16,25 in Exhibit V of the Vaughn index filed on 5/19/04 (and in the Errata to the Vaughn index filed on 5/21/04); (2) All of Plaintiffs claims as to information being withheld in NTSB Records numbered 12,13,19 and 21 in Exhibit V of the Vaughn index filed on 5/19/04. In addition Plaintiff is hereby withdrawing Plaintiffs 10/8/03 FOIA requests numbered 74,78,84,85,86,87,88,89,90,91,92,93,94,98,99,104,105,106,107,108,109,110,111,112, 113,114,121,128,135,142,149. This Order inures also to the benefit of Defendant Central Intelligence Agency.(ir,) (Entered: 06/14/2004)
07/06/2004	28	OPPOSITION to NTSBs Motion for Summary Judgment 27 filed by Plaintiff H Ray Lahr. (nhac,) (Entered: 07/07/2004)
07/06/2004	29	STATEMENT Genuine Issues filed by Plaintiff H Ray Lahr (shb,) (Entered: 07/09/2004)
07/06/2004	30	NOTICE filed by Plaintiff, H Ray Lahr of lodging (shb,) (Entered: 07/09/2004)
07/19/2004	35	EX PARTE APPLICATION for Leave to file Affidavits of Daniel McGauley and Dennis Crider in opposition to NTSB motion for summary judgment filed by Plaintiff H Ray Lahr. Lodged Order. (ir) (Entered: 07/21/2004)
07/20/2004	31	EX PARTE APPLICATION to extend time to File its reply in support of its motin for partial summary judgment filed by Defendant National Transportation Safety Board. Lodged Order. (ir) (Entered: 07/21/2004)

07/21/2004	<u>32</u>	ORDER by Judge A. Howard Matz: regarding NTSB Ex Parte Application 31 ; That the time for Defendant National Transportation Safety Board to file its reply in support of its motion for partial summary judgment be extended to and including 8/16/04. Hearing date on the motion is rescheduled to a date to be agreed to and stipulated by the parties, not to be before 9/12/04. (ir) (Entered: 07/21/2004)
07/21/2004	<u>33</u>	ORDER by Judge A. Howard Matz that the Court accepts Plaintiffs submission of the affidavits of Daniel Mcgauley and Dennis Crider for inclusion in the record herein.(ir) (Entered: 07/21/2004)
07/21/2004	34	AFFIDAVITS of Daniel McGauley and Dennis Crider in opposition to NTSB motion for Summary Judgment 27 filed by Plaintiff H Ray Lahr. (ir) (Entered: 07/21/2004)
07/21/2004	36	RESPONSE to NTSB Application to continue summary judgment hearing filed by Plaintiff H Ray Lahr. (ir) (Entered: 07/26/2004)
07/27/2004	<u>37</u>	MINUTES: In Chambers; On 7/26/04 Court received a letter from one Glenn A Niblock of Pensacola, Florida. At the outset of the letter, Mr Niblock states that he is not a party to the case and that he hopes the Court "will consider (the letter) in the sense of a 'Friend of the Court' submission." Upon reading that line the Court decided not to read and did not read the letter. Court has returned the letter to the sender without keeping a copy IT IS SO ORDERED by Judge A. Howard Matz Court Reporter: NONE. (ir) (Entered: 07/28/2004)
08/06/2004	<u>38</u>	STIPULATION AND ORDER by Judge A. Howard Matz defendants MOTION for Partial Summary Judgment 27 is reshceduled for 9/27/2004 at 10:00 AM before Honorable A. Howard Matz.(bg,) (Entered: 08/06/2004)
08/06/2004	39	EX PARTE APPLICATION for Leave to file Amended Statement of Genuine Issues filed by Plaintiff H Ray Lahr. Lodged Amended Statement of Genuine Issues. (th) (Entered: 08/11/2004)
08/10/2004	<u>40</u>	EX PARTE APPLICATION for leave to file amended statement of genuine issues and ORDER by Judge A. Howard Matz granting leave for plaintiff to file an amended statement of genuine issues(shb,) (Entered: 08/11/2004)
08/10/2004	41	AMENDED STATEMENT of Genuine Issues in Opposition to NTSB's MOTION for Partial Summary Judgment 27 filed by Plaintiff H Ray Lahr. (shb,) (Entered: 08/11/2004)
08/12/2004	<u>42</u>	STIPULATION AND ORDER by Judge A. Howard Matz : to dismiss with prejudice claims as to certain information withheld pursuant to exemptions (b)(4) and (b)(6) in certain records(shb,) (Entered: 08/13/2004)
08/16/2004	43	NOTICE of Filing and Filing of Affidavit of Richard S Breuhaus and First Supplemental Declaration of Dennis A Crider filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (ir) (Entered: 08/25/2004)
08/17/2004	44	REPLY in support of its Motion for Partial Summary Judgment 27 filed by Defendant National Transportation Safety Board. (ir) (Entered: 08/25/2004)
09/27/2004	<u>45</u>	MINUTES: NTSB Motion for Partial Summary Judgment 27 (Filed 6/8/04); Cause called; appearances made. Court questions counsel and hears oral argument. Court takes the above motion UNDER SUBMISSION. Government shall submit, in camera the unredacted materials within 10 days. Court circulates a chart and orders the parties to meet and confer in preparation of their joint statement of disputed items to be filed by not later than 10/25/04. Court also grants the parties oral request to file supplemental declarations. Government shall file its supplemental declaration by not later than 10/12/04 and Plaintiff shall file his responsive/counter declaration by not later than 10/26/04 by Judge A. Howard Matz Court Reporter: Maria Bustillos. (ir) (Entered: 09/29/2004)
10/12/2004	<u>46</u>	STIPULATION AND ORDER by Judge A. Howard Matz : Plaintiff hereby withdraws its 10/8/03 FOIA requests numbered 73, 83, 103, 120, 127, 134, 141 and 148.(ir,) (Entered: 10/12/2004)
10/12/2004	47	NOTICE of Lodging Documents under seal for the Courts In Camera inspection filed by Defendants Central Intelligence Agency, National Transportation Safety Board.; Lodged documents listed. (ir,) (Entered: 10/18/2004)

10/12/2004	48	NOTICE OF FILING AND FILING OF SUPPLEMENTAL AFFIDAVIT by affiant: RICHARD BREUHAUS filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (jp,) (Entered: 10/19/2004)
10/25/2004	49	NOTICE of Filing and Filing Supplemental Affidavit of Brett M Hoffstadt filed by Plaintiff H Ray Lahr. (ir,) (Entered: 10/26/2004)
10/26/2004	51	RESPONSE to Plaintiffs Ex Parte Application lodged 10/25/04 filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (ir,) (Entered: 10/28/2004)
10/27/2004	<u>50</u>	ORDER REQUIRING COMPLIANCE by Judge A. Howard Matz: On 9/27/04 Court issued an Order requiring the parties to meet and confer in preparation of a joint statement of disputed items to be filed no later than 10/25/04. Parties have failed to comply with the September 27 Order. Court now warns the parties that failure to comply with the terms of the 9/27 Order by 11/8/04 may subject them to sanctions. The chart circulated by the Court has five headings (1) Request, (2) Description/Category, (3) Legal Basis for Exemption and (4) Factual Basis for Exemption and (5) Production Basis. Defendants shall complete columns three and four before Plaintiff completes column five. Court sees no reason why the parties have come into conflict over who must first produce information for this chart. They shall file the chart with the Court by 11/8/04. (See document for further details)(ir,) (Entered: 10/27/2004)
11/09/2004	52	NOTICE of Joint Filing of Chart filed by Defendants Central Intelligence Agency, National Transportation Safety Board. (ir,) (Entered: 11/10/2004)
11/09/2004	<u>53</u>	STIPULATION AND ORDER by Judge A. Howard Matz: Plaintiff is hereby withdrawing its 10/8/03 FOIA requests numbered 131, 132, and 133.(ir,) (Entered: 11/10/2004)
02/04/2005	<u>54</u>	STIPULATION TO WITHDRAW CERTAIN FOIA REQUESTS To the CIA AND ORDER by Judge A. Howard Matz : COMES NOW Plaintiff, H. Ray Lahr and defendant Central Intelligence Agency, by and through their undersigned counsel, who stipulat that the plaintiff is hereby withdrawing plaintiff's October 8, 2003 FOIA requests to the CIA numbered 5 through 68, 70, 72, 73, 74, 76, 78, 79, 80, 82, 84, 85, 86, 88, 90, 91, 92, 94, 97, 100, 103, 106, and 109. IT IS SO ORDERED.(yl,) (Entered: 02/07/2005)
02/14/2005	55	NOTICE of Reassignment of Counsel from Jan L Luymes to David M Glass and Elizabeth J Shapiro filed by Defendants National Transportation Safety Board, Central Intelligence Agency. (ir,) (Entered: 02/16/2005)
02/14/2005		FAX number for Attorneys David M Glass, Elizabeth J Shapiro is 202-616-8470. (ir,) (Entered: 02/16/2005)
03/14/2005	56	Defendants' STATUS REPORT filed by Defendants National Transportation Safety Board, Central Intelligence Agency. (shb,) (Entered: 03/15/2005)
06/20/2005	57	NOTICE of filing and Vaughn index filed by defendants, National Transportation Safety Board, Central Intelligence Agency. (sv) (Entered: 06/29/2005)
07/13/2005	<u>58</u>	STIPULATION AND ORDER by Judge A. Howard Matz: Defendant shall file a motion for summary judgment as to the Central Intelligence Agency on or before 8/16/05. Plaintiff shall file his opposition to the motion on or before 9/13/05. Defendants shall file their reply in support of the motion on or before 9/30/05. Plaintiff may file a motion for leave to file a sur-reply in opposition to the motion if he believes that defendants have raised new issues in their reply but not otherwise. Any such motion shall be filed on or before 10/14/05. To the extent not withdrawn previously, all sub-request to the request under the Freedom of Information Act submitted to the CIA by plaintiff by letter dated 10/8/03 are hereby withdrawn, except the following Numbers 4, 69, 71, 75, 77, 83, 89, 93, 96, 98, 99, 101, 102, 104, 105, 107, 108.(ir,) (Entered: 07/13/2005)
08/16/2005	59	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to the Central Intelligence Agency; Memorandum of Points and Authorities filed by Defendants National Transportation Safety Board, Central Intelligence Agency. Motion set for hearing on 10/31/2005 at 10:00 AM before Honorable A. Howard

		Matz. Lodged Proposed Judgment, Statement of Uncontroverted Facts. (ir,) (Entered: 08/18/2005)
08/16/2005	60	DECLARATION of David M Glass regarding Motion for Partial Summary Judgment 59 filed by Defendants National Transportation Safety Board, Central Intelligence Agency. (ir,) (Entered: 08/18/2005)
08/16/2005	61	SECOND DECLARATION of Terry N Buroker regarding Motion for Partial Summary Judgment 59 filed by Defendants National Transportation Safety Board, Central Intelligence Agency. (ir,) Modified on 8/18/2005 (ir,). (Entered: 08/18/2005)
09/13/2005	62	PRAECIPE Change of Address by John Harrison Clarke attorney for Plaintiff H Ray Lahr, changing address to 1717 K Street Northwest, Suite 600; Washington,DC 20036 filed by Plaintiff H Ray Lahr (ir,) (Entered: 09/14/2005)
09/13/2005	63	OPPOSITION to MOTION for Partial Summary Judgment 59 filed by plaintiff, H Ray Lahr. (sv) (Entered: 09/22/2005)
09/13/2005	64	STATEMENT OF GENUINE ISSUES IN OPPOSITION to MOTION for Partial Summary Judgment 59 filed by plaintiff, H Ray Lahr. (sv) (Entered: 09/22/2005)
09/30/2005	65	REPLY in support of Defendants Motion for Partial Summary Judgment as to the Central Intelligence Agency 59 filed by Defendants.(ir,) (Entered: 10/04/2005)
09/30/2005	66	SECOND DECLARATION of Richard S Breuhaus regarding Motion for Partial Summary Judgment as to the Central Intelligence Agency 59 filed by Defendants. (ir,) (Entered: 10/04/2005)
09/30/2005	67	DECLARATION of Scott A Koch regarding Motion for Partial Summary Judgment as to the Central Intelligence Agency 59 filed by Defendants. (ir,) (Entered: 10/04/2005)
10/18/2005	<u>68</u>	EX PARTE APPLICATION for Leave to Late-File His Notice of Motion and Motion for Leave to File Sur-Reply and Order Thereon filed by plaintiff H Ray Lahr. IT IS SO ORDERED that Plaintiff's Ex Parte Application for Leave to Late File his Notice and Motion for Leave to File Sur-Reply be, and hereby is, granted. Lodged Motion for Leave to File Sur-Reply and Sur-Reply to CIA's Reply to Opposition to Motion for Patial Summary Judgment. (smo,) (Entered: 10/18/2005)
10/18/2005	69	NOTICE OF MOTION AND MOTION for Leave to File Sur-Reply filed by plaintiff H. Ray Lahr. Motion set for hearing on 10/31/05 at 10:00 a.m. before Honorable A. Howard Matz. Lodged Proposed Order. (smo,) (Entered: 10/18/2005)
10/18/2005	<u>70</u>	ORDER by Judge A. Howard Matz : Granting 69 Motion for Leave to File Sur-Reply to CIA's Reply to Opposition to Motion for Partial Summary Judgment. (smo,) (Entered: 10/18/2005)
10/18/2005	71	PLAINTIFF'S SUR-REPLY TO CIA'S REPLY TO OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT 59 filed by plaintiff H Ray Lahr. (smo,) (Entered: 10/18/2005)
10/18/2005	<u>72</u>	MINUTES OF IN CHAMBERS ORDER by Judge A. Howard Matz : Defendants' motion for summary judgment 59 , currently set for oral argument on 10/31/05, is hereby taken OFF CALENDAR and UNDER SUBMISSION. Fed. R. Civ. P. 78; L.R. 7-15. The parties will be notified if a hearing is necessary.Court Reporter: Not Reported. (smo,) (Entered: 10/19/2005)
10/21/2005	73	OPPOSITION to Plaintiffs Motion for Leave to File Sur-Reply 69 filed by Defendants. (ir,) (Entered: 10/24/2005)
10/24/2005		PLACED IN FILE - NOT USED re Defendants Proposed Order, lodged 10/21/05 submitted by Defendants National Transportation Safety Board, Central Intelligence Agency. (ir,) (Entered: 10/25/2005)
11/07/2005	74	NOTICE of Filing filed by Plaintiff H Ray Lahr. (ir,) (Entered: 11/09/2005)
01/05/2006	75	NOTICE OF MOTION AND MOTION for Leave to Amend Complaint filed by plaintiff H Ray Lahr. Motion set for hearing on 2/6/2006 at 10:00 AM before Judge A. Howard Matz. Lodged Proposed Order and Second Amended Complaint. (jp,) (Entered: 01/13/2006)

01/17/2006	76	OPPOSITION to Plaintiffs Motion for leave to Amend Complaint 75 filed by Defendants.; Lodged Proposed Order (ir,) (Entered: 01/24/2006)
01/17/2006	77	DECLARATION of David M Glass regarding Motion for Leave to Amend Complaint 75 filed by Defendants. (ir,) (Entered: 01/24/2006)
01/30/2006	78	MEMORANDUM IN REPLY to Defendant Opposition for Leave to Amend Complaint 75 filed by plaintiff H Ray Lahr. (jp,) (Entered: 02/07/2006)
01/30/2006	79	DECLARATION of JOHN H. CLARKE filed by Plaintiff H Ray Lahr. (jp,) (Entered: 02/07/2006)
02/06/2006	<u>80</u>	MINUTES: Court circulates tentative order and hears oral argument. The Court GRANTS Plaintiff's Motion for Leave to Amend Complaint 75 and orders that the Vaughn Index be filed by not later than 4/3/06. Defendants' forthcoming summary judgment motion shall be filed by not later 5/1/06. The opposition shall be filed by not later than 6/5/06 and the reply by 6/26/06.Court Reporter: Leslie A. King. (smo,) Modified on 2/7/2006 (smo,). (Entered: 02/07/2006)
02/06/2006	<u>81</u>	MINUTES OF IN CHAMBERS ORDER by Judge A. Howard Matz : Plaintiff H. Ray Lahr moves for leave to file a second amended complaint (SAC) to (1) add the National Security Agency (NSA) as a defendant and (2) add a claim for relief for a new, recently denied Freedom of Information Act (FOIA) request for records generated after the Central Intelligence Agency (CIA) released its "zoom-climb" conclusion on 11/17/67. The Court GRANTS Plaintiff's motion for leave to amend 75 . Plaintiff's "Proposed Second Amended Complaint" is deemed to have been filed with the Court. Court Reporter: Not Reported. (smo,) (Entered: 02/07/2006)
02/06/2006	82	SECOND AMENDED COMPLAINT against Defendants National Transportation Safety Board, Central Intelligence Agency, and National Security Agency amending Amended Complaint 5 filed by Plaintiff H Ray Lahr (ir,) (Entered: 02/08/2006)
02/06/2006		PLACED IN FILE – NOT USED re Plaintiffs Proposed Order Granting Leave to File Second Amended Complaint, lodged 1/5/06 submitted by Plaintiff H Ray Lahr. (ir,) (Entered: 02/08/2006)
02/06/2006		PLACED IN FILE – NOT USED re Defendants Proposed Order, lodged 1/17/06 submitted by Defendants. (ir,) (Entered: 02/08/2006)
02/21/2006	83	ANSWER to Second Amended Complaint 82 filed by Defendants.(ir,) (Entered: 02/22/2006)
04/03/2006	84	DEFENDANTS NOTICE OF FILING AND VAUGHN INDICES filed by National Transportation Safety Board, Central Intelligence Agency, National Security Agency. (rla,) (Entered: 04/06/2006)
05/01/2006	85	NOTICE OF MOTION AND SECOND MOTION for Partial Summary Judgment as to the Central Intelligence Agency filed by defendants National Transportation Safety Board, Central Intelligence Agency, and National Security Agency. Motion set for hearing on 7/10/06 at 10:00 a.m. before Judge A. Howard Matz.Lodged Statement of Uncontroverted Facts and Proposed Judgment. (smo,) (Entered: 05/10/2006)
06/05/2006	86	OPPOSITION to CIA Motion for Partial Summary Judgment 85 filed by Plaintiff H Ray Lahr. (ir,) (Entered: 06/06/2006)
06/05/2006	87	NOTICE OF FILING OF AFFIDAVIT AND AFFIDAVIT of H Ray Lahr in opposition to CIA Motion for Partial Summary Judgment 85 filed by Plaintiff H Ray Lahr (ir,) (Entered: 06/06/2006)
06/05/2006	88	STATEMENT of Genuine Issues in opposition to CIA Motion for Partial Summary Judgment 85 filed by Plaintiff H Ray Lahr. (ir,) (Entered: 06/06/2006)
06/22/2006	89	EX PARTE APPLICATION for Leave to file Declaration of John H Clarke in opposition to CIA Motion for Summary Judgment filed by Plaintiff H Ray Lahr. Ex Parte Application set for hearing on 7/10/2006 at 10:00 AM before Judge A. Howard Matz. Lodged Proposed Order. (ir,) (Entered: 06/23/2006)
06/22/2006	90	DECLARATION of John H Clarke in opposition to CIA Motion for Summary Judgment 85 filed by Plaintiff H Ray Lahr. (ir,) (Entered: 06/23/2006)

06/22/2006	<u>91</u>	ORDER by Judge A. Howard Matz that Plaintiffs Ex Parte Application for Leave to file Declaration of John H Clarke in opposition to CIA Motion for Summary Judgment 89 is granted. (ir,) (Entered: 06/23/2006)
06/26/2006	92	REPLY in support of Defendants Second Motion for Partial Summary Judgment as to The Central Intelligence Agency 85 ; Third Declaration of David M Glass filed by Defendants. (ir,) (Entered: 06/28/2006)
07/10/2006	<u>93</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz : The parties are ORDERED to jointly prepare and file a chart to assist the Court in locating the parties' arguments concerning the applicability of the government's claimed exemptions, as they apply to individual records in this matter. The parties are ORDERED to file this chart with the Court no later than Friday, 7/21/06. See document for details. Court Reporter: Not Reported. (smo,) (Entered: 07/11/2006)
07/10/2006	<u>94</u>	MINUTES OF Motion Hearing held before Judge A. Howard Matz : Court questions counsel regarding motion 85 . Court intends to issue its tentative order next week. The parties will then have 2 weeks to file their separate responses to the tentative order, not to exceed 10 pages and without attachments. The parties are to keep the tentative order confidential and may not disclose it to the public or any other person, either directly or indirectly by means of email, facsimile, etc., except to those parties specifically identified by the Court (i.e., CIA, NSA, Mr. Lahr). The Court will exercise its authority in the event these restrictions are violated. In light of the ruling on this motion 85 , the parties are to file revised single contentions on the two prior pending summary judgment motions. The Court intends to issue a request that the parties file a chart identifying the correlation between the plaintiff's and defendants' BATES numbers. Court Reporter: Leslie A. King. (smo,) (Entered: 07/12/2006)
07/12/2006	<u>95</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz : To assist the Court in its determination of the CIA's Second Motion for Partial Summary Judgment, the government is ORDERED to submit, in camera, unredacted copies of the documents designated by the government as MORI Document IDs 1255552, 1255554, 1255556 and 1305302, and as NTSB Records 33, 34, 35 and 36. These documents shall be filed, under seal, not later than Friday, 7/21/06. Rather than submitting to the Court the actual NSA computer program that is a subject of the CIA's Second Motion for Partial Summary Judgment, the government is ORDERED to submit a sealed, in camera affidavit concerning the program. This sworn affidavit should be made by an individual with personal knowledge of the computer program and its use, and should explain how it concerns a function of the NSA or information with respect to the activities thereof. Additionally, this affidavit should explain for what purposes the computer program is used, how it works, and how it is operated. This document shall be filed, under seal, not later than Friday, 7/28/06. See document for details. Court Reporter: Not Reported. (smo,) (Entered: 07/13/2006)
07/19/2006	<u>96</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz : The Court having consulted with plaintiff's and defendants' counsel and the Clerk's Office for the Central District of California, for practical reasons the government is ORDERED to file all materials referred to in the Court's 7/12/06 Minute Order – to wit, the documents designated by the government as MORI Document IDs 1255552, 1255554, 1255556 and 1305302 and as NTSB Records 33, 34, 35 and 36, and the affidavit concerning the NSA computer program ? not later than Wednesday, 8/2/06. Court Reporter: Not Reported. (smo,) (Entered: 07/19/2006)
07/21/2006	97	JOINT NOTICE of Filing of Chart and Chart filed by Defendants. (ir,) (Entered: 07/26/2006)
07/24/2006	98	EX PARTE APPLICATION for Leave to late file Errata to the Parties Joint Filing of Chart filed by Plaintiff H Ray Lahr. Lodged Proposed Order, and Errata. (ir,) (Entered: 07/26/2006)
07/24/2006	99	OPPOSITION to Plaintiffs Ex Parte Application for Leave to late file Errata to the Parties Joint Filing of Chart 98 filed by Defendants. (ir,) (Entered: 07/26/2006)
07/25/2006	<u>100</u>	ORDER by Judge A. Howard Matz plaintiffs Ex Parte Application for Leave to late file Errata to the Parties Joint Filing of Chart 98 is granted. Court has reviewed and rejects Defendants opposition to Plaintiffs Ex Parte Application. (ir,) (Entered: 07/26/2006)

07/25/2006	101	ERRATA to the Parties Joint Filing of Chart 97 filed by Plaintiff H Ray Lahr. (ir,) (Entered: 07/26/2006)
08/14/2006	<u>103</u>	MINUTES (IN CHAMBERS) held before Judge A. Howard Matz: To assist the court in its determination of the CIAs First Motion for Partial Summary Judgment and as permitted by 50 United States Code section 552(a)(4)(B) the government is ORDERED to submit, in camera, unredacted copies of the records designated as still disputed in the Parties Joint Filing of Chart filed on 7/21/06. These documents are designated on that Chart by Defendants ID numbers 1176343, 1176350, 1215015,1215016, 1215017, 1215200, 1176352, 1176344, 1215195, 1215194, 1215196, 1215202, 1215014, 1215018, 1215024, 1215209,1175603 and 1232320. These records shall be filed, under seal, not later than Friday, 8/25/06. Those records not requiring special security procedured in their filing shall be filed under the Courts normal in camera procedure. Those records requiring special security procedures in their filing shall be filed in accordance with those procedures.Court Reporter: N/A. (klg,) (Entered: 08/17/2006)
08/31/2006	<u>104</u>	ORDER by Judge A. Howard Matz: Court GRANTS summary judgment to Defendants on five of the disputed records at issue in the CIA's Second Motion, and DENIES summary judgment on the remaining seven 85 . Defendants will not be required to actually provide the required records until the Court rules on the two remaining summary judgment motions, which the Court hopes to do within thirty days. At that point, a single, comprehensive Judgment may be procedurally appropriate and the parties will be in a position to determine whether to appeal. See document for details. (smo,) (Entered: 08/31/2006)
09/06/2006	106	NOTICE of Change of Address by John F Dunne, Jr attorney for Plaintiff H Ray Lahr, changing address to 12100 Wilshire Boulevard, 8th Floor, Los Angeles, CA 90025. Filed by plaintiff H Ray Lahr (ak,) (Entered: 09/07/2006)
09/20/2006	108	EX PARTE APPLICATION for Leave to file motion for partial reconsideration of the courts 8/31/06 order filed by PLAINTIFF H Ray Lahr. (klg,) (Entered: 09/26/2006)
09/22/2006	<u>107</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge A. Howard Matz ORDERING 1)plaintiffs notice of motion 2)Plaintiffs Ex Parte Applcation 3)Order submitted by Plaintiff H Ray Lahr received on 9/20/06 to be filed and/or processed; filed date to be the date the document was stamped Received but not Filed with the Clerk.(klg,) (Entered: 09/26/2006)
09/22/2006		PLACED IN FILE – NOT USED Plaintiffs notice of motion and motion for partial reconsideration of the court 8/31/06 order submitted by plaintiff H Ray Lahr. (klg,) (Entered: 09/26/2006)
09/22/2006	<u>109</u>	ORDER granting plaintiffs ex parte application for leave to file motion for partial reconsideration of the courts 8/31/06 order DENIED by Judge A. Howard Matz. 108 (klg,) (Entered: 09/26/2006)
09/27/2006	<u>110</u>	STIPULATION AND ORDER rescheduling motion day for plaintiffs motion for partial reconsideration and establishing briefing schedule DENIED by Judge A. Howard Matz. (klg,) (Entered: 09/28/2006)
10/04/2006	112	NOTICE OF CLERICAL ERROR: Due to clerical error 111 Non public entry erroneously given an item control number. Item control number 111 does not exist. (klg,) (Entered: 10/04/2006)
10/04/2006	<u>113</u>	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS FIRST TWO SUMMARY JUDGMENTS MOTIONS by Judge A. Howard Matz, regarding MOTION for Partial Summary Judgment 27 , MOTION for Partial Summary Judgment 59 , (Made JS–6. Case Terminated.)(klg,) (Entered: 10/04/2006)
10/16/2006	114	EX PARTE APPLICATION for Leave to file motion for reconsideration of the courts 8/31/06 order filed by plaintiff H Ray Lahr. Lodged proposed order and motion. (klg,) (Entered: 10/18/2006)
10/16/2006	119	JOINT NOTICE of Filing of Proposed Judgment of the Court and Proposed Judgment of the Court filed by Defendants. (ir,) (Entered: 10/27/2006)

10/17/2006	<u>115</u>	ORDER by Judge A. Howard Matz, regarding EX PARTE APPLICATION for Leave to file motion for reconsideration of the courts 8/31/06 order 114 GRANTED.(klg,) (Entered: 10/18/2006)
10/17/2006	116	NOTICE OF MOTION AND MOTION for Reconsideration of the Courts 8/31/06 Order <u>104</u> filed by plaintiff H Ray Lahr. Motion set for hearing on 11/13/2006 at 10:00 AM before Judge A. Howard Matz. (klg,) (Entered: 10/18/2006)
10/17/2006	<u>117</u>	ORDER by Judge A. Howard Matz regarding MOTION for Reconsideration 116 DENIED.(klg,) (Entered: 10/18/2006)
10/17/2006	<u>118</u>	JUDGMENT OF THE COURT by Judge A. Howard Matz: Central Intelligence Agency (CIA) shall produce to plaintiff the material set forth in Exhibit A and the National Transportation Safety Board shall produce to plaintiff the material set forth in Exhibit B. Plaintiff may file a motion for award of attorneys fees and costs by not later than 11/16/06. Defendants response shall be filed not later than 12/20/06. Plaintiffs reply shall be filed by not later than 1/8/07. Court will rule upon the papers without a hearing. Parties shall not be precluded by the fact that they have approved this judgment as to form from appealing any aspect of this judgment or of the orders dated 8/31/06 or 10/4/06 (See document for further details)(ir,) (Entered: 10/18/2006)
10/18/2006	120	Notice of Withdrawal of MOTION for Reconsideration 116 filed by plaintiff H Ray Lahr. (jp) (Entered: 11/04/2006)
11/16/2006	121	NOTICE OF MOTION AND MOTION for an award of Attorney Fees and Costs filed by plaintiff H Ray Lahr. Motion set for hearing on 1/22/2007 at 10:00 AM before Judge A. Howard Matz. (klg,) (Entered: 11/17/2006)
11/29/2006	<u>122</u>	NOTICE OF APPEAL to 9th CCA filed by defendant National Transportation Safety Board. Appeal of Judgment,, <u>118</u> Filed On: 10/17/06; Entered On: 10/18/06; Filing fee \$ 455, billed. cc: Elizabeth J Shapiro; John F Dunne, Jr (dmap,) (Entered: 11/30/2006)
11/29/2006	<u>123</u>	REPRESENTATION STATEMENT re Appeal to Circuit Court <u>122</u> . (dmap,) (Entered: 11/30/2006)
11/29/2006		Civil Appeals Docketing Statement received from forwarded to 9th CCA. RE: Appeal to Circuit Court <u>122</u> (dmap,) (Entered: 11/30/2006)
11/30/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: Appeal to Circuit Court <u>122</u> (dmap,) (Entered: 11/30/2006)
12/04/2006	<u>124</u>	NOTICE OF APPEAL to 9th CCA filed by Plaintiff H Ray Lahr. Appeal of Order, <u>113</u> , Filed On: 10/04/06; Entered On: 10/04/06; Order, <u>104</u> Filed On: 8/31/06; Entered On: 8/31/06; Forms Given: Transcripts Designation Ordering Form; Filing fee \$455; Paid; receipt number: 90964. cc: John H Clarke; David M Glass. (lr,) (Entered: 12/06/2006)
12/04/2006	125	PLAINTIFF'S NOTICE OF FILING OF DOCKETING STATEMENT AND DOCKETING STATEMENT filed by Plaintiff H Ray Lahr. (lr,) (Entered: 12/06/2006)
12/04/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals; re: Appeal to Circuit Court, <u>124</u> (lr,) (Entered: 12/06/2006)
12/15/2006	<u>126</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 06-56717, 9th CCA regarding Appeal to Circuit Court <u>122</u> filed by National Transportation Safety Board. (et) (Entered: 12/15/2006)
12/15/2006	<u>127</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 06-56732, 9th CCA regarding Appeal to Circuit Court, <u>124</u> filed by H Ray Lahr. (et) (Entered: 12/15/2006)
12/20/2006	128	DECLARATION of David M Glass filed by Defendants National Transportation Safety Board, Central Intelligence Agency, National Security Agency. (klg,) (Entered: 12/21/2006)
12/20/2006	129	OPPOSITION to Plaintiffs MOTION for an award of Attorney Fees and Costs 121 filed by defendant National Transportation Safety Board, Central Intelligence Agency, National Security Agency. (klg,) (Entered: 12/21/2006)

01/08/2007	<u>130</u>	MEMORANDUM in Reply to Opposiiton to NOTICE OF MOTION AND MOTION for an award of Attorney Fees and Costs 121 filed by plaintiff H Ray Lahr; Declarations of lawrence T Dale, III, John H Clarke. (jj,) (Entered: 01/22/2007)
01/22/2007	<u>131</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz : On the Court's own motion, the Court takes OFF– CALENDAR and UNDER SUBMISSION Plaintiff's Motion for an Award of Attorney's Fees and Costs 121 . The parties will be notified if a hearing is necessary. Court Reporter: Not Reported. (smo,) (Entered: 01/22/2007)
03/19/2007	<u>132</u>	MINUTES OF IN CHAMBERS held before Judge A. Howard Matz: The Court GRANTS Plaintiffs motion for attorneys fees and costs 121 albeit in an amount lower than what plaintiff requested. For the foregoing reasons, the Court awards \$144,210 in fees and \$2,232 in costs to Plaintiff, for a total of \$146,442. No hearing is necessary. FRCP 78; LR 7–15. THIS ORDER IS NOT INTENDED FOR PUBLICATION. Court Reporter: not reported. (klg,) (Entered: 03/23/2007)
04/18/2007	133	Mail Returned addressed to Elizabeth J. Shapiro re <u>132</u> In Chambers Minutes. (ca) (Entered: 05/10/2007)
05/02/2007	<u>134</u>	ORDER from 9th CCA filed as to Appeals Docketing Statement (A–11a) filed by National Transportation Safety Board, CCA # 06–56717.T The court has determined that these appeals will not be selected for inclusion in the Mediation program. Order received in this district on 5/8/07 (dmap.) (Entered: 05/14/2007)
05/14/2007	<u>135</u>	NOTICE OF APPEAL to 9th CCA filed by defendant National Transportation Safety Board. Appeal of In Chambers Order Minutes <u>132</u> . Fees billed. Forms given: Transcript Designation and Ordering Form. Filed On: 3/19/07; Entered On: 3/23/07; Filing fee \$ 455 billed. cc: David M Glass; John F Dunne, Jr (dmap.) (Entered: 05/16/2007)
05/14/2007	<u>136</u>	REPRESENTATION STATEMENT re Appeal to Circuit Court <u>135</u> (dmap.) Modified on 5/17/2007 (dmap.) (Entered: 05/16/2007)
05/16/2007		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: Appeal to Circuit Court <u>135</u> (dmap.) (Entered: 05/16/2007)
05/16/2007		Civil Appeals Docketing Statement received from forwarded to 9th CCA. RE: Appeal to Circuit Court <u>135</u> (dmap.) (Entered: 05/16/2007)
06/04/2007	<u>137</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 07–55709, 9TH CCA regarding Appeal to 9th Circuit Court of Appeals, <u>135</u> filed by National Transportation Safety Board. (car) (Entered: 06/04/2007)
12/11/2007	<u>138</u>	ORDER from 9th CCA filed re: Appeal to 9th Circuit Court of Appeals <u>122</u> filed by National Transportation Safety Board, CCA # 06–56717 and 06–56732. Plaintiff's motion for leave to file oversized reply brief of 8,120 words is granted. The Clerk shall file the reply brief 12/4/2007. Order received in this district on 12/13/2007. (dmap) (Entered: 12/27/2007)
07/21/2008	<u>139</u>	RECORD ON APPEAL sent to Circuit Court re: Record consists of 1 thru 8 volumes and 5 Bulky documents number 23, 28, 52, 61 and 86 re Notice of Appeal to 9th Circuit Court of Appeals <u>135</u> . (cbr) (Entered: 07/21/2008)
07/21/2008	<u>140</u>	APPEAL RECORD sealed documents sent to Circuit Court re: 1 documents were sent with this transmittal. Document numbers 105. Re: Notice of Appeal to 9th Circuit Court of Appeals <u>135</u> . (cbr) (Entered: 07/21/2008)
08/10/2009	<u>141</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>122</u> filed by National Transportation Safety Board, Notice of Appeal to 9th Circuit Court of Appeals, <u>124</u> filed by H Ray Lahr, Notice of Appeal to 9th Circuit Court of Appeals, <u>135</u> filed by National Transportation Safety Board, CCA # 06–56717, 06–56732, 07–55709. The government's Unopposed Motion for a 14–Day Extension of Time to file a Response to the Petition for Rehearing En Banc is GRANTED. The government's response shall be due no later than September 1, 2009. Order received in this district on 8/10/09. (car) (Entered: 08/10/2009)

01/21/2010	<u>142</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>122</u> filed by National Transportation Safety Board, Notice of Appeal to 9th Circuit Court of Appeals, <u>124</u> filed by H Ray Lahr, Notice of Appeal to 9th Circuit Court of Appeals, <u>135</u> filed by National Transportation Safety Board, CCA # 06-56717, 06-56732, 07-55709. The panel unanimously has voted to deny Plaintiff's petition for rehearing en banc. Judge Wardlaw and Judge Berzon have voted to deny the petition for rehearing en banc. Judge Miner recommends denial fo the petition for rehearing en banc. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P.35. The petition for rehearing en banc is DENIED. No further petitions for rehearing or rehearing en banc may be filed. Order received in this district on 1/21/2010. (lr) (Entered: 01/22/2010)
02/08/2010	<u>143</u>	MANDATE of 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>122</u> , Notice of Appeal to 9th Circuit Court of Appeals, <u>124</u> , Notice of Appeal to 9th Circuit Court of Appeals, <u>135</u> , CCA # 06-56717, 06-56732, 07-55709. The Decision of the District Court is AFFIRMED in part, REVERSED in part, and REMANDED for proceedings consistent with this opinion. Mandate received in this district on 2/08/2010. (lr) (Entered: 02/09/2010)
02/18/2010	<u>144</u>	MINUTES OF IN CHAMBERS ORDER held before Judge A. Howard Matz. On the Court's own motion, the Court hereby sets a status conference date of March 22, 2010 at 1:30 p.m. A joint status report must be filed by not later than March 15, 2010. (kbr) (Entered: 02/18/2010)
03/12/2010	<u>145</u>	STATUS REPORT (<i>Joint</i>) filed by Defendants Central Intelligence Agency, National Security Agency, National Transportation Safety Board. (Glass, David) (Entered: 03/12/2010)
03/17/2010	<u>146</u>	MINUTES IN CHAMBERS by Judge A. Howard Matz: The court grants the parties' request to continue the status conference contained in their 3/12/2010 Joint Status Report <u>145</u> . The Status Conference is continued from 3/22/2010 to 5/17/2010 at 1:30 PM. Also, plaintiff must demonstrate that certiori petition has been filed and, if so, then the parties must submit a stipulation and order staying this action indefinitely. (jp) (Entered: 03/17/2010)
03/22/2010	<u>147</u>	APPEAL RECORD RETURNED from 9th CCA Received: Volume(s): 8; Did not received 2 Brown Folders: B00023, B0052, Did received. Brown Folders: B0028, B0061, B0086. Sealed Documents(s): 1; RE: Appeal Record Sent to USCA (A-26) <u>139</u> (lr) (Entered: 03/23/2010)
05/10/2010	<u>148</u>	STIPULATION to Continue All Proceedings to Indefinitely Re: Minutes of In Chambers Order/Directive – no proceeding held, Set Hearings,, <u>146</u> filed by Defendants Central Intelligence Agency, National Security Agency, National Transportation Safety Board. (Attachments: # <u>1</u> Proposed Order)(Glass, David) (Entered: 05/10/2010)
05/11/2010	<u>149</u>	ORDER by Judge A. Howard Matz, re Stipulation to Stay <u>148</u> proceedings indefinitely. Status Conference for 5/17/10 is off calendar. The parties are required to notify the court within five days of any ruling granting or denying the certiori petition. (se) (Entered: 05/11/2010)
06/24/2010	<u>150</u>	NOTICE of Decision: Denial of Plaintiff's Petition for Writ of Certiorari filed by Defendants Central Intelligence Agency, National Security Agency, National Transportation Safety Board. (Glass, David) (Entered: 06/24/2010)
06/30/2010	<u>151</u>	MINUTES IN CHAMBERS by Judge A. Howard Matz: The Supreme Court having denied Plaintiff's petition for a writ of certiorari, the Court ORDERS Plaintiff and Defendants to meet and confer in an effort to reach a stipulation on whether Plaintiff remains the "prevailing party," having prevailed on fifteen (not twenty-six) of the thirty-two contested records. Such meet-and-confer must occur by not later than 7/14/2010. If the parties cannot reach an agreement on whether Plaintiff still remains the "prevailing party," Plaintiff may file a motion seeking that determination, and must do so by not later than 8/2/2010. (See attached Minute Order for further information). (jp) (Entered: 06/30/2010)

07/16/2010	<u>152</u>	SETTLEMENT AGREEMENT (<i>Consent Judgment</i>) filed by Defendants Central Intelligence Agency, National Security Agency, National Transportation Safety Board. (Glass, David) (Entered: 07/16/2010)
07/19/2010	<u>153</u>	CONSENT JUDGMENT by Judge A. Howard Matz. Subject to the approval of the Court, it is stipulaed and agreed as follows by and between the undersigend: Defendants shall pay plaintiff, H. Ray Lahr, the sum of \$84,484.00 in full settlement of plaintiffs claim for attorney's fees and litigation costs. (See attached Consent Judgment for further details). This consent judgment constitutes the entire agreement between the parties. No other understandings, statements, promises, or inducements exist. Related to: Settlement Agreement <u>152</u> . (jp) (Entered: 07/19/2010)
10/25/2010	<u>154</u>	APPEAL RECORD RETURNED from 9th CCA Two Brown Folder: B0023, B0052. RE: Appeal Record Sent to USCA (A-26) <u>139</u> (lr) (Entered: 10/26/2010)